

#28977

AGREEMENT

Made this 2 day of November, 1999, by and between Prospect, Inc. ("the Applicant"), t/a Prospect Pizza and Pastries, and Advisory Neighborhood Commission ("ANC") 2E ("the ANC").

WITNESSETH

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control (ABC) Board is the Applicant's application for transfer of a Retailer's Class CR license to 3203 Prospect Street, N.W. (ABC Application No. 28977); and,

WHEREAS, the parties desire to enter into an agreement commemorating certain understandings regarding the applicant's operational plans;

NOW, THEREFORE, in consideration of the premises above recited, and the covenants and promises set forth below, the parties agree as follows:

1. In recognition of the value that Georgetown's historic and aesthetic character brings to business operations and residents alike, the Applicant agrees to maintain the licensed property in full compliance with the decisions of the Old Georgetown Board, the Commission of Fine Arts, and the Historic Preservation Review Board.
2. The Applicant agrees to introduce no new neon signs either in its windows or visible from the opposite side of the facing street.
3. The Applicant agrees to keep from the windows of the premises all promotional signs (excepting menu displays), banners, inflatable devices, and such other items, other than those specifically tied to a seasonal sale or celebration; these seasonal items shall be on display for no more than 30 days.

4. The Applicant agrees that external seasonal decorations (such as holiday lights in the Christmas/Hanukkah tradition) shall be utilized for no more than eight weeks.
5. The Applicant agrees that, out of regard for the health of employees, patrons, and the citizens of the community, all applicable regulations regarding waste, sanitation, litter, and vector control shall specifically be complied with.
6. The Applicant agrees that no use of public space shall be initiated without specific application to and approval by the Public Space Committee of the Department of Public Works; any subsequent use of public space shall be strictly in conformity with DPW standards.
7. In consideration of, and in reliance upon, the commitments reflected in paragraphs 1 through 6 above, the ANC shall refrain from filing a protest of Applicant's pending license application, conditioned upon incorporation of the terms of this Agreement in the Board's order approving said application, as provided at 23 DCMR §1513.3.
8. The parties further agree that any failure of applicant to adhere to the foregoing commitments will constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 DCMR § 1513.5. Prior to filing of any such petition, however, the ANC shall provide Applicant ten (10) days prior written notice of the perceived violation, in order to afford Applicant opportunity to cure such violation.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the  
year and day first above-written.

PROSPECT, INC.

By: 

Maziar Fariwar  
President

ADVISORY NEIGHBORHOOD  
COMMISSION

By: 

Chairperson

**BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**In the Matter of :**

Prospect, Inc.

t/a Prospect Pizza & Pastries

Application for a Retailer's Class  
CR License – transfer

Application No. 28977

3203 Prospect Street, N.W.  
Washington, D.C.

**Maziar Farivar, President, on behalf of Prospect, Inc., and Peter Pulsifer, Chair, Advisory  
Neighborhood Commission 2E, Signatories**

**Stephen J. O'Brien, Esquire, on behalf of Applicant**

**BEFORE: Roderic L. Woodson, Esquire, Chair  
Vera Abbott, Member  
Ellen Oppenheimer, Esquire, Member  
Audrey E. Thompson, Member  
Joseph Wright, Member**

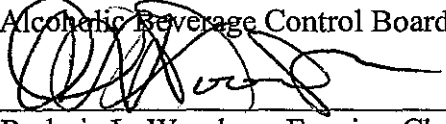
**ORDER ON VOLUNTARY AGREEMENT**

This matter came before the Board for approval on December 1, 1999. The signatories to the attached voluntary agreement, dated November 2, 1999, submitted the agreement to the Board in accordance with 23 DCMR Section 1513 of the ABC Regulations (DCMR Title 23 June 1997).

Having determined that the agreement complies with all applicable laws and regulations and that the Applicant otherwise qualifies for licensure, the Board does hereby this 15<sup>th</sup> day of December 1999, **APPROVE** the license application conditioned on the Applicant's compliance with the terms of the voluntary agreement and incorporates the text of the same into this Order.

Prospect, Inc.  
t/a Prospect Pizza & Pastries  
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District of Columbia  
Alcoholic Beverage Control Board



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Roderic L. Woodson, Esquire, Chair



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Vera Abbott, Member



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Ellen Oppenheimer, Esquire, Member



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Audrey E. Thompson, Member

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Joseph Wright, Member